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# The Courier-Journal.

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LOUISVILLE, WEDNESDAY MORNING, OCTOBER 23, 1901—TEN PAGES.

PRICE

The Weather.  
Forecast for Wednesday and Thursday:  
Kentucky, Tennessee and Indiana—Fair  
Wednesday and probably Thursday; light  
to fresh westerly winds.

## THE LATEST

Mr. George E. Graham, who as Asso-  
ciated Press correspondent was with  
Commodore Schley during the Cuban  
campaign, was the chief witness in the  
Schley Court of Inquiry yesterday. His  
testimony was highly favorable to the  
Rear Admiral. He stated that Capt.  
Sigbee had told Schley on May 26 that  
the Spaniards were not in Santiago, and  
he denied that Schley had appeared un-  
easy during the reconnaissance of May  
21. Mr. Graham also told of a conver-  
sation between Capt. Evans and Com-  
modore Schley after the battle of San-  
togo.

The trial of Caleb Powers moved rap-  
idly yesterday and many material wit-  
nesses for the defense were heard. There  
are yet about thirty-five to be exam-  
ined. The defense hopes to finish to-  
morrow morning. The testimony in re-  
buttal will be brief. The points sought  
to be developed by yesterday's witnesses  
were that Powers left Frankfort on the  
day of the shooting to bring more "pe-  
titioners" to Frankfort and that the  
shot was not fired from his office.

The delegates of the Kentucky Di-  
vision, United Confederate Veterans,  
adopted yesterday a plan suggested by  
Col. Bennett H. Young for the estab-  
lishment of a home for needy Confed-  
erates. A fund of \$25,000 will be raised,  
of which \$8,000 has been subscribed. A  
site of thirty acres has been offered.  
The next General Assembly will be  
asked to make a per capita allowance.

The annual meeting of the Grand  
Lodge of Knights of Pythias of Ken-  
tucky and the encampment of the Uni-  
form Rank of the order opened in  
Owensboro yesterday. W. R. Logan, of  
Louisville, was elected Grand Chancel-  
lor. A parade, which was participated  
in by about 200 persons, was the fea-  
ture of yesterday's programme.

The Appellate Court yesterday re-  
versed the judgment of the McCracken  
Circuit Court in the bribery case of the  
Commonwealth against Ellis M. Head-  
ley, of Louisville, and sent it back to  
the lower court with instructions to  
overrule the demurrer and to try the  
case on the indictment.

The American Missionary Association,  
in session in Chicago, adopted resolu-  
tions approving the action of President  
Roosevelt in entertaining at his dinner  
table at the White House Booker T.  
Washington. The action was endorsed  
as "reaffirming the equal rights of  
American citizenship."

According to a dispatch received in  
Washington from Rear Admiral Rod-  
gers, active insurrection has broken out  
on the island of Samar, and the New  
York with 300 marines is on the way to  
the seat of the trouble. Gen. Chaffee  
does not believe there will be any ex-  
tensive engagements.

James Lee, Jr., of Memphis, attacked  
Maj. T. B. Edgington, a lawyer of that  
city, with a rawhide whip in the Chan-  
cery Clerk's office in the Tennessee  
metropolis yesterday. The encounter  
was the result of a law suit and Lee  
claimed that Edgington had insulted  
his wife.

The mine operators in Hopkins coun-  
ty have filed affidavits before County  
Judge Hall requesting that guards be  
stationed at their mines, which they  
claim are in danger of attack from  
union forces. Their request will be  
granted.

The annual session of the Ohio Valley  
Improvement Association will convene  
in Paducah to-day. During the meeting  
a memorial to Congress will be pre-  
pared setting forth the improvements  
needed in the Ohio river.

In a panic following the cry of fire  
at the Temple Theater in Louisville  
yesterday afternoon many people were  
trampled upon and fourteen were in-  
jured. Frank McDonald was so badly  
hurt that he may die.

Gold has been discovered thirty-eight  
miles from Pueblo, Col. Five hundred  
claims were staked out in twenty-four  
hours, and people from Pueblo are rush-  
ing to the scene.

Gen. Sir Redvers Buller has been re-  
lieved of his command of an army corps  
for a speech relative to the South Af-  
rican campaign, and has been retired  
upon half pay.

Dr. J. C. Franklin, of Nashville, has  
been indicted by the Federal grand  
jury on the charge of sending obscene  
letters through the mail to a married  
woman.

Leon F. Czolgosz, the assassin of  
President McKinley, at his own re-  
quest, was visited by a Catholic priest  
yesterday.

The Post-office Department has de-  
cided that social publications must  
hereafter pay third-class postage rates.

It is stated that the principal cash  
and door manufacturing interests of  
the country have formed a combine.

Judge John H. Reagan, the only sur-  
viving member of Jefferson Davis' Cab-  
inet, is seriously ill.

The Tennessee Conference of the  
Methodist Church will meet in Pulaski,  
Tenn., to-day.

## MEN FOUGHT WOMEN IN TEMPLE THEATER PANIC

### Followed Burning of Fuse In Poly- scope and Cry of Fire.

### FOURTEEN PEOPLE INJURED.

### Frank McDonald Hurt Most Seriously and He May Die.

### CHILDREN CRUSHED UNDER FOOT

#### THE INJURED.

Frank McDonald, 2603 West Wal-  
nut street. Head cut and bruised.  
Condition critical.

Frank Latch, 1805 Story avenue.  
Head cut and back injured.

Mrs. Opal Jennings, Thirty-first  
and Bank streets. Head bruised. Not  
serious.

Mrs. George Schmitt and four-year-  
old daughter. Mother's head cut and  
daughter's back injured. Neither in a  
serious condition.

Mrs. Mary Welsh, 1005 West Mar-  
ket. Leg and arm bruised. Injuries  
slight.

Mrs. Mary Hulzer, 447 East Green.  
Back hurt. Injuries slight.

Miss Mary Plunk and infant niece,  
Shippingport. The young woman's  
head was cut and the infant's back  
was hurt. Neither seriously injured.

Mrs. Leonora Roth, 2520 Duncan  
street. Two ribs broken and right eye  
injured. Condition serious, but not  
critical.

Omar Pulliam, colored, 2608 Burk-  
hart avenue. Right ankle broken.  
L. Fine, operator of polyscope, face  
and head bruised. Not serious.

Mrs. Charles Gross, Twenty-fifth  
and Duncan streets. Head cut and  
internally injured. Condition serious,  
but not critical.

Frank Goose. Hand burned.

Fourteen people were injured in a fire  
panic at the Temple Theater yesterday  
afternoon. One of them, Frank Mc-  
Donald, of 2603 West Walnut street, was  
perhaps fatally injured, and now hovering  
between life and death at the City Hos-  
pital.

The polycope fuse burned out, there  
was a flash of fire and a thin column of  
smoke arose. A negro yelled "fire" with  
all his might and the 256 people who had  
paid to see "Tennessee's Partner" from  
the balcony rushed for the only exit on  
the west side of the building.

They rushed pell-mell from their  
seats. The men fought down the wom-  
en and children in their wild anxiety  
to escape. No mercy was shown and  
none was asked. The people, believing  
that the theater was on fire and that  
the five-foot stairway was the only  
avenue of escape, fought with the de-  
spiration of animals. The weak ones  
fell and were trampled upon by the  
strong ones. The unfortunate, those  
who stumbled or made a misstep, went  
down crying for help. Sometimes they  
arose and fought with renewed despera-  
tion. But more often they never re-  
gained their footing and remained upon  
the floor unconscious until they were  
rescued five minutes later.

#### Prevented Panic Down Stairs.

Down stairs for a moment it seemed  
that the scene upstairs would be re-  
peated. But Clarence Meffert stood  
before the double exit doors and shout-  
ed to the people to keep cool and not  
to leave their seats. At the same time  
Harry Bates, a comedian, appeared be-  
fore the curtain and sang a comic song.  
Then the orchestra struck up a lively  
air and the people were reassured.

The panic occurred about 2:30 o'clock.  
The curtain had gone down on the sec-  
ond act and Dolph and Susan Levino,  
sketch artists, held the stage. L. Fine,  
the operator of the polycope, which  
stands on a platform in the balcony,  
was in his seat in the center of the  
front row. He was sorting his views  
preparatory to flashing them on the  
canvas when the act of the Levinos  
was finished. Levino is a caricatur-  
ist. His business is to amuse people  
by drawing comic pictures of well-  
known people.

He was drawing a profile of Admiral  
Schley. His wife stood by to sing a  
parody on the Schley Court of Inquiry  
when her husband had finished the  
sketch.

A few rapid strokes with the chalk  
and the outline began to take on the  
appearance of the Admiral. A few  
touches and the features of the noted  
"sea dog" were recognizable. Then the  
artist began to draw the Admiral's  
beard, without which no picture of his  
would be complete. It was finished and  
the sketch artist stood aside. The peo-  
ple in the balcony applauded and Lev-  
ino bowed his acknowledgment. Sud-  
denly the applause ceased. Then came  
the cry of "fire."

A shuffling of feet was the only noise

upright in the center of the stairway,  
his club in his right hand.

They came to a stop like a herd of  
leaderless sheep.

"There's no danger," the patrolman  
shouted. "The fire's out. You can't rush  
down these steps and be killed."

The officer's attitude was threatening,  
and the short breathing spell gave the  
people time to think.

But one old woman was not to be  
commanded. She was in the front rank  
and before Patrolman Savage could  
avoid her she had hold of his belt.

"Now, what right have you got to stop  
us?" she demanded.

The patrolman did not have time to  
argue the question with the woman, so  
he loosened his belt and she went  
bouncing down the steps with his belt  
clutched in her hand.

Two men had followed the patrolman  
from the corner, and they came in good  
time. The three stationed themselves,  
ready to push back the first who dis-  
obeyed orders.

"Now, then, a few of you come at a  
time. Not too many, there," the patrol-  
man said to a man who was attempt-  
ing to jostle aside his companions. Twenty  
or thirty passed out in safety.

Found Baby On the Floor.

"What's this?" was the patrolman's  
query as he stooped down.

"A baby? And it's crushed. I believe  
it's dead. Now, stand back until I take  
it downstairs."

Then a few more of the pleasure-  
seekers were allowed to pass out. Prob-  
ably a hundred had gone when the sec-  
ond landing was reached.

A half dozen men and women were  
lying upon the floor. Their legs and  
arms extended over the steps. Upon  
them stood a half hundred people. Occa-  
sionally a moan or sob or a cry was  
heard. But most of them were uncon-  
scious. It was plain to be seen that this  
had been the battle ground.

The stair which leads from the bal-  
cony is situated on the west side. Five  
or six steps from the top is the first  
landing. The turn is sharp; then fol-  
lows another section of eighteen or  
twenty steps before the first landing, or  
the entrance proper to the theater is  
reached. When the patrolman and his  
assistants came upon the wounded they  
again commanded the pleasure-seekers  
to halt.

One young man was found with his  
arm entwined about a companion's leg,  
and the friend was doing his best to  
keep the crowd from trampling upon  
him. When the crowd had passed and  
the injured were alone assistance was  
summoned, and the helpies were car-  
ried to a room on the first floor.

When all had been removed the pa-  
trolman worked his way to the top of  
the stairs. It required perhaps ten min-  
utes to clear the steps and gallery.

#### Trouble Down Stairs.

And while those in the gallery were  
doing their utmost to trample each  
other to death the occupants of the lower  
floor were by no means quiet. The  
parquet and dress circle were well filled.  
And at the first sign of the panic every  
man and woman arose to their feet. For  
a moment it looked as if they would  
charge the double exit door and beat it  
down. The curtain was hastily run  
down. The Levins left the stage and  
Harry Bates came on. He tried his  
funniest song, but the crowd was in no  
mood for comedy. The people were  
frightened and they wanted to get out.

Manager Meffert and his son Clarence  
were sitting in the rear room. When  
they realized that a stampede was on  
in the gallery their first thought was  
to save any people down stairs from  
injury. Both leaped to their feet and  
ran to the doors. Manager Meffert turned  
and faced the audience and by his  
side stood his son. The young man said  
something, but the noise drowned his  
words. He waved his hands and again  
attempted to reassure the people.

"Sit down. There is no danger," he  
cried.

He repeated the words two or three  
times, and finally his words began to  
have some effect.

"There is no fire. There is no dan-  
ger. If you will keep your seats none of  
you will be injured," the young man  
shouted.

Harry Bates, on the stage, was still  
singing his comic song. Then the or-  
chestra struck up a lively air, and the  
people began to look shamefacedly at  
each other. They saw no more fire and  
sat down. It required only a few min-  
utes to reassure them, but had not Mr.  
Meffert possessed a cool head there  
would have been a different story to tell.

After the people down stairs had again  
taken their seats Manager Meffert rushed  
to the balcony steps and ran up them  
two at a time. He met the crowd at the  
first landing, and was in time to pull a  
negro from beneath the mob's feet. He  
told it afterward and laughingly added  
that the negro was unhurt.

#### Caring For the Injured.

Then began the work of caring for the  
wounded. They were all carried to the  
large room formerly occupied by the  
press representatives of the Triennial  
Conclave. Chairs were overturned and  
coats were placed upon their backs.  
Dr. Buschmeyer was the first to ar-  
rive. He was followed by Dr. Fred  
Meyer, Dr. S. B. Meyer, Dr. Barbour,  
Dr. Fleischaker and Dr. Samuel Coch-  
ran. Most of the physicians were upon  
the balcony.

Policemen Steps the Mob.

The patrolman struck the fire box on  
the corner and an alarm went in from  
box No. 42. Then he ran to the theater,  
dashed up the steps to the first landing,  
turned to the right and six steps up  
met the mob. Those on it were yelling  
and screaming at the top of their voices  
when the patrolman came upon them.

"Stop!"  
Clearcut and decisive was his first  
command.

A few heeded the command, but the  
majority attempted to pass him.

"Stop!" he yelled again, and he stood

## RAPIDLY

### The Trial of Caleb Pow- ers Proceeds.

### DEFENSE ENDS TO-MORROW.

### Only Thirty-Five Wit- nesses Yet To Be Heard.

### POWERS' TRIP TO LOUISVILLE

### NOT TO FURNISH AN ALIBI, BUT TO ARRANGE FOR MORE "PETITIONERS."

### CAPT. SHARPE'S TESTIMONY.

Georgetown, Ky., Oct. 22.—[Special.]—  
The defense in the case of Caleb Pow-  
ers introduced a number of its material  
witnesses to-day, and it is said there  
are about forty more to testify. One  
of the attorneys for Powers, when  
asked to-night when the defense would  
close, said: "We will have about thirty-  
five witnesses here to-morrow and we  
should finish Thursday morning."

If the defense does close its case  
Thursday the jury will probably be tak-  
en to Frankfort Friday morning. The  
testimony in rebuttal will not consume  
much time and the argument is ex-  
pected to begin Friday night or Satur-  
day morning. Consequently all fears  
of a mistrial have passed unless the  
jury should not be able to agree on a  
verdict.

Among the prominent witnesses for  
Powers to-day were former State Treas-  
urer George W. Long, former State  
Auditor Samuel H. Stone and C. M.  
Barnett, chairman of the Republic-  
an State Central Committee. So far  
ex-Gov. W. O. Bradley and ex-Judge  
W. H. Yost, summoned as witnesses  
for the defense, have not put in their  
appearance in Georgetown, but they  
may be among the witnesses who are  
expected to-morrow.

To-night the trial room was packed  
with people.

Big parties from adjoining counties  
are already coming to Georgetown to  
hear the arguments of the attorneys.

### Consulted Before Arrests Were Made.

A small crowd was in attendance  
when court convened this morning at  
9 o'clock. The first witness was P. M.  
O'Reilly, of Louisville, who was in the  
Senate chamber when Goebel was shot.  
It was his impression that the shots  
were fired directly in front of the State-  
house and not from the executive build-  
ing. When cross-examined by Mr. Wil-  
liams, Mr. O'Reilly said that he was  
pleased to be retained as a witness, but  
that he knew a week after Goebel  
was shot. At the time none of the men  
accused of Goebel's murder had been  
arrested.

George W. Long, former State Treas-  
urer, was called to the witness stand.  
He said he had been instructed by P. M.  
Taylor to go to Louisville on January 29.  
The day Goebel was shot, with Caleb  
Powers and Walter R. Day to make  
financial and transportation arrange-  
ments to bring Goebel to Louisville.  
Frankfort from Western Kentucky to  
"petition" the Legislature. Mr. Long  
said he did go to Louisville with Pow-  
ers and Day, but at a meeting at the  
Willard Hotel it was determined not to  
bring the man, as it was believed that  
the shooting of Goebel would make a  
complete change in the situation at  
Frankfort.

Mr. Long, on cross-examination, said  
he had written a letter of recommendation  
for Wharton Golden, recommending  
him as a "man of the highest integ-  
rity, industrious and sober." He said  
at that time he believed that Golden  
was that sort of a man. Mr. Long was  
asked by Mr. Williams if he had not  
contributed money to aid in paying the  
lawyers who were defending Powers, and  
he replied that he had.

### Two Barren County Witnesses.

Edward Mentz, of Glasgow Junction,  
Barren county, and James Frank Tay-  
lor, of Glasgow, whom Mr. Long wired  
on January 29 to meet him in Louis-  
ville, produced Mr. Long's telegram and  
said that they were summoned to con-  
sult with Messrs. Long, Powers and  
Day about bringing the petitioners from  
Western Kentucky.

On cross-examination by Mr. Williams  
this question was put to Mr. Taylor:  
"Did you not say to John Barlow and  
others in Glasgow that 'Goebel was  
killed? I will not do it myself, but men  
have been found who will do it?'"  
"I never made such a statement to  
any one," replied Mr. Taylor.

### George Fetter's Opinion.

George F. Fetter, of Louisville, said  
it was his impression that the shot  
which killed Goebel was fired from the  
agricultural building. He said that Go-  
bel fell at least six feet from the square  
stone slab on the pavement at Frank-  
fort, which is supposed to indicate the  
exact spot where Mr. Goebel was stand-  
ing when he was shot. He said there  
was no secret about Powers' order for  
badges to be worn by his mountain men  
at Frankfort. The order came just like  
all other orders.

At 12 o'clock Judge Cantrill adjourned  
court until 1:30 o'clock p. m.

### Day Tells of Louisville Trip.

Former State Treasurer Walter R.  
Day was called to the witness stand  
when court convened again at 1:45  
o'clock. He said Taylor requested him

## GIRL STUDENTS OF HANOVER GIVE A NIGHT ROBE PARADE

### Men of the College Were Aroused, and Now They Have Interesting Souvenirs, Including Flashlight Photographs.

Madison, Ind., Oct. 22.—[Special.]—The  
girl students of the staid old Hanover  
College indulged last night in a new  
kind of fun. A parade of girls number-  
ing about twenty started from one of  
the boarding houses on "Seminary  
Row." They were armed with dinner  
bells, bass and snare drums and jack  
lanterns. The members of the party  
were also attired in sheets and pillow  
cases, giving the appearance of a night  
robe parade.

Most of the young men of the college  
have been expecting something to hap-  
pen during the evening, but had ac-  
cused the "J. P.'s" of having a class  
party. They had also seen several of  
the "J. P.'s" go into the house from  
which the parade started, but when no  
boys arrived it was supposed to be a  
"hen party" and all left.

Two young men, however, were stroll-  
ing in the moonlight near the place  
when the parade started and they im-  
mediately gave the alarm to the rest  
of the college by running down the street  
yelling "Night robe parade!" Those who had  
retired were soon into their clothes again  
and many of them joined in the parade.

In order to assist in the demonstra-  
tion and also to frighten the members of  
the fair sex, several brought shotguns  
and revolvers into noisy play. Rem-  
nants of sheets and pillowcases can be  
found in the rooms of nearly all the  
young men, and two young men seem  
to think they will have a flash-  
light picture to exhibit in a few days  
that will certainly be worth looking at.

### BULLER PAYS THE PENALTY FOR HIS SPEECH AT BANQUET

### Relieved of the Command of First Army Corps and Re- tired On Half Pay.

London, Oct. 22.—Sir Redvers Buller  
has been relieved of the command of  
the First Army Corps in consequence  
of the speech he made October 10, after  
the luncheon given in his honor by the  
King's Royal Rifles, dealing with his  
famous dispatch to Gen. White at  
Ladysmith. He has been placed on  
half pay and Gen. French has been ap-  
pointed to succeed him.

In the official announcement the War  
Office says that the Commander-in-  
Chief, "after full consideration of all  
the circumstances and the explanations  
furnished," recommended that Gen.  
Buller be relieved, which has been  
done.

The appointment of Gen. French is to  
take effect "when his services are no  
longer required." In South Africa  
Gen. Buller's French's return Gen.  
Hildyard will command at Aldershot.

### GOLD DISCOVERY NEAR PUEBLO.

Pueblo, Col., Oct. 22.—A courier brings news of excitement over a gold  
discovery at Beulah, thirty-eight miles west of this city. Five hundred  
claims have been located in the past twenty-four hours. A ledge of free  
milling gold returns nearly \$2,000 a ton. Pueblo people are rushing to the  
place.

At 4:30 o'clock, Holland Whittaker,  
indicted as a principal in the crime,  
was put on the stand. He was asked  
about the conversation which Ennis  
Clark, a witness for the Common-  
wealth, told as having been held be-  
tween Powers and Youtsey. Clark said  
Powers told Youtsey he had better not  
testify that he gave the key to his  
office to him.

Clark said Youtsey replied: "Don't  
you fool with me or I'll break your  
neck if I break mine in doing it."

Whittaker said he never heard any  
conversation between Powers and  
Youtsey.

On cross-examination, Whittaker was  
asked if he were not taken from him  
when he was arrested. He replied that  
they were.

At 5:15 o'clock Judge Cantrill ad-  
journed court until 7 p. m.

### Wilson Conversation Denied.

When court convened this evening,  
J. Lon Butler was recalled by the Com-  
monwealth and was asked if he did  
not meet ex-Congressman John Henry  
Wilson, of the Eleventh district, on  
Jefferson street, near Second, in Lou-  
isville, on January 25, and say, in refer-  
ence to Goebel taking his seat: "I've  
just left Taylor and I'm going to West-  
ern Kentucky after more men. Before  
we will surrender we will kill the G—  
d—"

"I never made such a statement,"  
replied Mr. Butler.

"Did not Mr. Wilson then say: 'If  
that is true, I am going to tell Ben Gol-  
den to get Wharton Golden away from  
Frankfort?'"

"I never had any such conversation  
with Mr. Wilson," said Mr. Butler.

### Culton Shortage Irrelevant.

Former Auditor Samuel H. Stone  
was then called. He was asked if W. H.  
Culton was not \$1,100 short in his ac-  
counts and was discharged from the  
Auditor's office for embezzling the pub-  
lic funds.

The court ruled that this was not  
competent and Mr. Owens made an  
avowal as to the reply the witness  
would make.

George Johnson, a deputy under Mr.  
(Concluded On Second Page.)



SIR REDVERS BULLER.

The appointment of Gen. French is to  
take effect "when his services are no  
longer required." In South Africa  
Gen. Buller's French's return Gen.  
Hildyard will command at Aldershot.

### SASH AND DOOR TRUST.

### The Chief Interests Will Be United In One Big Combine.

Minneapolis, Minn., Oct. 22.—The sash  
and door interests of the country have  
at last been united in one great com-  
bination. A representative of the trust  
plan has been acquiring the factories  
or options on them, one by one. This  
city was left till the last. C. L. Poole,  
emissary of the New York bank, is firm  
which is promoting the deal will leave  
for the East to-night with options on  
all but one of the big factories here.

The factory owners will receive part  
cash, part common stock and part pre-  
ferred stock, and besides will be re-  
tained in the local management. Other  
big centers are Oshkosh, Wausau, Mer-  
rill and La Crosse, Wis., Dubuque,  
Davenport, Ottumwa and Muscatine, Ia.,  
and Rock Island, Ill.

### Stolen Horse Recovered.

Lebanon Junction, Ky., Oct. 22.—  
[Special.]—This morning when Pa-  
rsonson entered his store he found a  
strange man waiting to sell him a  
horse. His suspicions were aroused and  
he had the man placed under arrest.  
Later a telephone message came from  
Brooks stating that a horse had been  
stolen, the description of which tallied  
with the animal held here. The owner,  
Jonathan Longacre, a workman in  
South Louisville, was notified and an  
officer was sent who at once identified  
the man under arrest as a tramp who  
had been in the Brooks neighborhood  
for a few days. The owner of the horse  
came this afternoon to take the animal.

### Nashville Plumbers Strike.

Nashville, Tenn., Oct. 22.—[Special.]—  
Forty-two plumbers, employees of the  
local shop but one, went on strike  
to-day. They demanded an eight-hour  
day instead of a ten-hour day, and the  
cessation of actual work on the part of  
masters and foremen. This the em-  
ployees with the one exception re-  
fused.

### Flour Men Burns.

Jackson, Tenn., Oct. 22.—[Special.]—  
The Jackson Flour Mill, one of the  
largest manufacturing plants of its kind  
in Western Tennessee, was partly de-  
stroyed by fire this afternoon. The loss  
is probably covered by insurance.

### Earthquake In Porto Rico.

San Juan, Porto Rico, Oct. 22.—A  
slight seismic disturbance was felt Sun-  
day morning in various towns of the  
island.

## SHOT DEAD.







# "LA TRAVIATA" AND "LOHENGRIN."

Production of Works By Verdi and Wagner Brings the opera season to a close.

A very brilliant performance of "La Traviata" was given at the matinee by the Grau Opera Company, with Madame Sembrich as Violetta. The fact that she was to sing was the chief cause for the assembling of a large audience—this and the desire to hear once more an opera whose exquisite melodies are familiar to us all, though the opera itself has not been sung here in so long a time that many in the audience had never before heard it in its entirety. Mme. Sembrich herself has on various occasions sung here some of the arias from "La Traviata," and so has helped to familiarize Louisville audiences with those scintillating gems of song which Verdi was so completely the master.

But, after all, "La Traviata" belongs to a school and represents a period of the composer's remarkable career, happily supplanted by something much better, much more sincere, deeper and more moving, as well as vastly more masterful in musical construction. The opera was produced in 1853, when Verdi fairly revelled in the brilliant and delicious melody of arias that are immortal. But the work gives no hint of that consistent artistic purpose and conception first expressed in something like twenty years later in "Aida," and which had so magnificent a development in "Otello." It is a little difficult for modern taste to accept the inconsistencies of the older school, and quite impossible for the auditor educated under the influence created by Wagner to lose himself in any illusion when there is no continuity of thought or form in the work of the composer. The orchestra, for the most part, merely plays an accompaniment to the singers, and it is but slightly suggestive of the motives inspiring the action. Passages that Verdi himself later would have made the tragic expression of suffering are other mere bathos. From



plause did not cease till she had repeated the aria.

Mme. Sembrich displayed the utmost delicacy of expression in her singing of the love duet in the last act, when the old melody is mingled with the sadness of the reunion which is only a prelude to the final parting. Not only is she a great singer, but an accomplished actress. Her gown and her jewels were bewildering in their magnificence.

Mr. Salinas as Alfredo was somewhat of a disappointment. His voice has good timbre, but it lacks sweetness and a refined quality. His impassioned passages are rather meaningless and his action is awkward. His best work was in the duet in the last act, when he sang with more delicacy and expression than at any other time.

Mr. Campanari's Germont, the father, was as artistic as possible. He is a great singer and admirable actor. The scene with Violetta in the second act was a most delightful piece of work. His singing of the world-famous aria, "Di Provenza il Mar," was one of the delights of the opera and took rank with the work of the prima donna herself. Mr. Campanari's baritone voice is rich and resonant and mellow, expressive of the deepest as well as of the most delicate feeling. He has temperament and the artistic impulse. His singing yesterday served the more firmly to establish him in the favor of Louisville audiences, where he was already counted as a personal friend.

Mme. Van Cauteaen as Flora, Miss Bauermeister as Annina, Mr. Bars as Duphol, and Mr. Vanni as Gastone, as well as the other members of the cast and the chorus, were admirable, and the orchestra, which had not been rehearsed, played faultlessly.

## "LOHENGRIN."

"Lohengrin" was a fitting finale to Louisville's too-brief opera season. Its pomp and loftiness, its spectacular beauty and stirring climaxes and the strength of its intellectuality that pervades it leave an impression that makes one only regret that it is so good-bye with regret.

In this farewell performance Louisville saw and heard Emma Eames as Elsa, and such grace and graciousness as here, such refinement and dignity of bearing, and, withal, such womanly gentleness, it would be difficult to surpass. Those who have been charging her with "coldness" evidently have been misreading the exquisite tenderness of her work. It would be difficult to imagine her in a boyish, dandy-dish, amorous role, such as Carmen, for instance, but in Elsa, whose attributes are so different, she must surely win unalloyed admiration. Her voice, pure, brilliant, beautiful, was well suited to Elsa's music, too. Her rendition of the dream song in Act I served to prepare for the triumph which she achieved in the dramatic passages of the third act. Here she was an ideal Elsa, and she sang in such fashion as to bring musician and layman alike to her feet. And in the last act her work was characterized by marvelous delicacy and surpassing art.

In the part of Lohengrin Mr. Dippel looked so different in his glittering armor, but he did not altogether realize the possibilities of his great part. Sometimes you were led to expect that his great moment was come, but at the end one found that he pleased only and did not wholly satisfy. His farewell to his swan was sung with excellent taste, and his scene with Elsa in Act 3 was carried with fine effect. And, too, when the announcement of his name was made, the signal for his parting, it did not startle nor stir as one would expect it to do. Thus his voice, while clear and resonant, lacks the sympathy that moves you, and to that extent fails to impress its worth.

More gratifying was the portrayal of Ortrud by Mme. Schumann-Heck. That superb voice which had long before brought to the Louisville people, proved anew its greatness. Mme. Schumann-Heck's opportunity came in the second act, and the dramatic force with which she imbued her measures was convincing and impressive. Her Ortrud was no shrew, as many others have depicted her, but was the dignified court lady throughout.

No less praise is due Mr. Blapham, the American who has won his place in the

front rank of baritone. His Friedrich von Trübenbach was well-drawn and thoroughly artistic. He uses his voice with splendid grasp of effect, and he sings with an earnestness that cannot be resisted. To his vocal and dramatic gifts Mr. Blapham combines a stage presence that lends attractiveness to a role that is not in itself attractive.

As the King's herald, Mr. Muhlmann made much out of a part that ordinarily yields little, and as the King himself Mr. Blas is deserving of praise.

The orchestra, conducted by Mr. Damrosch, had a large share in making the performance so splendid. In fact, it merits a more extended discussion than a brief newspaper notice will permit.

## PAN-AMERICAN CONGRESS IS FORMALLY OPENED.

After Address of Welcome the Delegates Are Entertained by President Diaz.

Mexico City, Oct. 22.—The Pan-American conference was formally opened this afternoon by the Hon. Ignacio Mariscal, Minister of Foreign Relations, who said in the course of an address: "There is no doubt whatever of the sentiment of friendship and sympathy cultivated to such a high degree by our Northern neighbor among the representatives of the three Americas, and we are to be congratulated upon the truly useful publications of the bureau established by conference at Washington, as well as the work so conscientiously accomplished by the congress of The Hague, brought about by the generous initiative of the Emperor of Russia, and lastly, the interchange of feelings of affection which prevailed at the pleasing gathering of delegates from the Spanish-speaking countries."

The address of Mariscal was answered by Isaac Alzamora, Vice President of Peru, and delegate from that country. He spoke in purely formal terms, congratulating upon the truly useful publications of the bureau established by conference at Washington, as well as the work so conscientiously accomplished by the congress of The Hague, brought about by the generous initiative of the Emperor of Russia, and lastly, the interchange of feelings of affection which prevailed at the pleasing gathering of delegates from the Spanish-speaking countries."

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## Every woman in the country ought to know about

## Mother's Friend

Those who do know about it wonder how they ever got child-birth without it. It has robbed child-birth of its terrors for many a young wife. It has preserved her girlish figure and saved her much suffering. It is an external liniment and carries with it therefore, absolutely no danger of upsetting the system at drugs taken internally are apt to do. It is to be rubbed into the abdomen to soften and strengthen the muscles which are so tender during the process of child-birth. This means much less pain. It also prevents morning sickness and all of the other discomforts of pregnancy.

A druggist of Macon, Ga., says: "I have sold a large quantity of Mother's Friend, and have never known an instance where it has failed to produce the good results claimed for it."

A prominent lady of Lamberton, Ark., writes: "With my first six children I was in labor from 24 to 30 hours. After using Mother's Friend, my seventh was born in 4 hours."

Get Mother's Friend at the drug store, \$1.00 per bottle.

THE BRADFIELD REGULATOR CO.

Write for our free illustrated book, "MOTHER'S FRIEND," in 10 days.

## OFFICERS

Elected By the Pythian Grand Lodge.

## A LOUISVILLE MAN HONORED.

W. R. LOGAN CHOSEN GRAND CHANCELLOR OF KENTUCKY.

## THE KNIGHTS ON PARADE.

Owensboro Crowded With Visitors and the State Meeting Is Proving a Success.

## GUESTS ROYALLY ENTERTAINED

Owensboro, Ky., Oct. 22.—[Special.]—What promises to be one of the most successful meetings of the Grand Lodge of Knights of Pythias in the history of Kentucky Pythianism, is now in session in this city. The attendance is large and the hotels are crowded, while many of the representatives of the various lodges and uniform ranks are guests at private residences.

The parade this morning contained about two hundred persons and presented a fine body of young men. Large crowds of people turned out all along the route.

The procession was headed by twelve mounted police, followed by Wehrley's band and the old Legion drum and trumpet corps of Louisville. Then came W. R. Logan and his staff, Col. Stanley Adams and staff, Louisville Company No. 1, the Winchester company, Alpha No. 45 of Louisville, and Owensboro company No. 11.

Upon the conclusion of the parade the exercises opened in the Temple Theater, where a large crowd had assembled to welcome the visiting Knights to the city.

## Address of Welcome.

The Hon. W. P. Small, Mayor of the city, announced the programme, and after prayer by the Rev. F. T. Hale, of



W. R. LOGAN, Of Louisville, the new Grand Chancellor, the Third Baptist church, Judge J. D. Atchison delivered the address of welcome.

As soon as the exercises at the theater were over the Grand Lodge was called to order in Castle Hall by Grand Chancellor Martin Yewell, who appointed John T. Moore, J. E. Renfelle and W. C. Quibby a committee on Credentials to determine who were entitled to representation in the meeting. A recess was then taken until 2 o'clock, at which time the committee reported and the Grand Chancellors were conducted into the hall and given the Grand Lodge rank.

The following officers of the Grand Lodge were elected for the ensuing year: Grand Chancellor, W. R. Logan; Grand Vice Chancellor, J. H. Corbin; Grand Keeper of Records and Seal, John W. Carter; Grand Master of the Grand Lodge of Kentucky, J. H. Corbin; Grand Master of the Grand Lodge of Kentucky, J. H. Corbin; Grand Master of the Grand Lodge of Kentucky, J. H. Corbin.

The Grand Lodge then adjourned until 8:30 o'clock in the morning.

## Uniform Rank.

The different companies of the Uniform Rank, upon the conclusion of the public exercises at the theater, went to the Fair Grounds, where dinner was served by the Busy Bee Society. After dinner and throughout the afternoon exercises in the drill were carried out, and these were witnessed by many people. Each of the four companies will arrive here to win the first prize at the competitive drill to-morrow, and much interest is centered in the result.

The Fair Grounds is in command of Brig. Gen. W. R. Logan, and he has as his adjutant, J. H. Corbin, and as his quartermaster, J. H. Corbin. The Fair Grounds is in command of Brig. Gen. W. R. Logan, and he has as his adjutant, J. H. Corbin, and as his quartermaster, J. H. Corbin.

## Officers On Hand.

The officers of the Grand Lodge are all here and are Martin Yewell, of this city, Grand Chancellor; W. R. Logan, Louisville; Grand Vice Chancellor; J. H. Corbin, Louisville; Grand Keeper of Records and Seal; J. H. Corbin, Louisville; Grand Master of the Grand Lodge of Kentucky; J. H. Corbin, Louisville; Grand Master of the Grand Lodge of Kentucky; J. H. Corbin, Louisville.

## New Grand Chancellor.

W. R. Logan, the new Grand Chancellor, is a young business man of Louisville. His Pythian career dates from March, 1894, when he became a member of Alpha Lodge, No. 3, retaining his membership in that lodge until its consolidation with Clay, No. 1, 1898, when his membership was transferred to Clay, which is the oldest lodge west of the Allegheny mountains. Mr. Lo-

gan served as Chancellor-Commander of Alpha Lodge in 1897. In October, 1898, he represented Clay Lodge as a delegate to the Grand Lodge, which was that year in Middleboro. In 1899 he was again sent as a Grand Lodge representative to Henderson, where he was given the unusual honor of being elected Grand Pate "from the floor," thus "jumping" the office of Grand Outer Guard and Grand Master-at-Arms. At Winchester last year he was unanimously elected Grand Vice Chancellor, which put him in line for his elevation to Grand Chancellor.

## A Good Record.

Mr. Logan had already risen to the top of the uniform rank in the State. He became a member of Alpha Company No. 45 in July, 1895, and was a Sir Knight in the ranks until February 18, 1897, when he was elected First Lieutenant of that company. A year later he was elected Captain. January 27, 1898, he was elected Lieutenant Colonel of the First regiment for a term of four years. However, a vacancy occurring, he was elevated to the colonelcy July 23, 1899, which office he held till March 8, 1900, when he was elected Kentucky brigadier general, which consists of forty-nine companies assigned to four regiments.

Thus Mr. Logan is placed at the head of both the lodge and the uniform rank of the Knights of Pythias in Kentucky. The election of John W. Carter, of this city, as Grand Keeper of Records and Seal for the ensuing year practically transfers the business of the Grand Lodge to the city. The place will pay Mr. Carter \$750 a year.

Wade Shelton of Louisville, who is succeeded by Carter, had held the position of Grand Keeper of Records and Seal for fifteen years and declined a reelection.

## ASK FOR GUARDS.

HOPKINS MINE OWNERS CLAIM PROPERTY IS THREATENED.

## THEIR REQUEST IS GRANTED.

Nonunion Men Who Attend Union Mass-meetings Alleged To Have Been Discharged.

Madisonville, Ky., Oct. 22.—[Special.]—All is quiet in the strike regions today. The union miners have organized at every mine in the district, and they are making a determined effort to organize the nonunion miners. Last night a meeting was held by the union miners at the Courthouse and a meeting was held at Emporium tonight.

The union miners claim that the operators are discharging all the nonunion miners who attend their meetings. One company discharged fifteen of its men yesterday. These men claim they had violated no rule, but the company other than to attend one of the union miners' mass-meetings. The operators of the various coal companies in the county have again asked that their property be protected. The managers of the Refractory, Monarch and Oak Hill companies before County Judge Hall and made affidavit that their property was in danger and asked that the county furnish guards to protect their interests.

This afternoon the managers of the St. Bernard Coal Company made a similar affidavit and they also asked that the law be enforced on the property. An even more impressive feature of an impromptu nature was the reception accorded the rendition of the doxology in the closing chime scene. Thousands of voices joined in the music and when the likeness of Elihu Yale was presented in the stage there was an enthusiastic outburst of applause. Some one immediately started the refrain, "Bright College Years," and the chorus of "Bright College Years" was sung with a vigor and enthusiasm that caught up the familiar words and when the line "For God, for Country and for Yale" was reached, by common impulse the weavers of the blue arose from their seats in a body and rendered the sentiment with hushed heads. At that moment hundreds of bombs were exploded in the rear of the amphitheater seats.

## New Bank In Corbin.

Corbin, Ky., Oct. 22.—John J. McHenry, of Louisville; C. A. Adair, of Paducah, Ohio county, and Capt. Oscar Bishop, of Hartford, Ky., came here for the purpose of organizing a bank. It is understood that J. H. Mitchell is to be the president and Capt. Oscar Bishop the cashier. The capital stock will be \$15,000, of which amount the troops were seen and both the union and nonunion forces were disarmed. At that moment hundreds of bombs were exploded in the rear of the amphitheater seats.

The second and last address of the day was delivered by J. H. Corbin, president of the University of Minnesota. He was introduced by Judge William Kneeland Townsend, Dr. Northrup's address presented Yale in its relation to the development of the country.

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## OLD SONGS

Of Yale Sung By Assembled Thousands.

## "OLD ELI'S" GREAT DAY.

DRAMATIC ASSOCIATION HOLDS FORTH IN AMPHITHEATER.

## ALLEGORICAL PERFORMANCE

Depicting the Successive Events In the History of the Famous College.

## OLD-TIMERS ON THE GRIDIRON.

New Haven, Conn., Oct. 22.—In a great amphitheater, bedecked in blue and illumined by long strings of orange-hued lanterns and Greek fire flaming and smoking skyward from poles erected about the campus, the sons of Yale witnessed to-night an allegorical performance of the dramatic association of the university and listened to the songs of the student chorus, drilled especially for this feature of the bi-centennial celebration.

After an afternoon devoted to football, in which the 'Varsity eleven showed its prowess, and the veteran heroes of the academy matched their strength and old-time skill victoriously against the college team, it was not unfitting that graduates and students should assemble within the historic campus and voice their appreciation of the festival time by means of themselves by 8,000 strong, every class having a distinct and conspicuous mark in its position, and joined with vigor in the bi-centennial songs.

The amphitheater was erected in the center of the old campus facing south Middle dormitory, in front of which the temporary stage for the amateur performers was erected. The members of the University Dramatic Association, under the leadership of Frank Lea Short as stage director, presented a performance symbolic of successive events in the history of Yale.

Each of the scenes there were familiar college songs by the student chorus, in which all the thousands of graduates, ranged about the amphitheater, participated. Several bands were stationed at the campus and at intervals added to the musical demonstration of the evening.

The "Book" song was given with an unbroken never known before when A. M. Hirsch, its composer, of the class of 1901, known familiarly as "Pop," the catcher of the baseball team for two years, rose from his seat in response to numerous calls from the amphitheater and personally led the great chorus.

An even more impressive feature of an impromptu nature was the reception accorded the rendition of the doxology in the closing chime scene. Thousands of voices joined in the music and when the likeness of Elihu Yale was presented in the stage there was an enthusiastic outburst of applause. Some one immediately started the refrain, "Bright College Years," and the chorus of "Bright College Years" was sung with a vigor and enthusiasm that caught up the familiar words and when the line "For God, for Country and for Yale" was reached, by common impulse the weavers of the blue arose from their seats in a body and rendered the sentiment with hushed heads. At that moment hundreds of bombs were exploded in the rear of the amphitheater seats.

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## THOUSANDS HAVE KIDNEY TROUBLE AND DON'T KNOW IT.



To Prove What Swamp-Root, the Great Kidney Remedy, Will Do For YOU, Every Reader of the Louisville Courier-Journal May Have a Sample Bottle Sent Free By Mail.

Weak and unhealthy kidneys are responsible for more sickness and suffering than any other disease, therefore, when through neglect or other causes, kidney trouble is permitted to continue, fatal results are sure to follow.

Your other organs may need attention—but your kidneys most, because they do most and need attention first. If you are sick or "feel badly," begin taking Dr. Kilmer's Swamp-Root, the great kidney, liver and bladder remedy, because as soon as your kidneys are well they will help all the other organs to health. A trial will convince anyone.

The mild and immediate effect of Dr. Kilmer's Swamp-Root, the great kidney and bladder remedy, is soon realized. It stands the highest for its wonderful cures of the most distressing cases. Swamp-Root will set your whole system right, and the best proof of this is a trial.

Between each of the scenes there were familiar college songs by the student chorus, in which all the thousands of graduates, ranged about the amphitheater, participated. Several bands were stationed at the campus and at intervals added to the musical demonstration of the evening.

The amphitheater was erected in the center of the old campus facing south Middle dormitory, in front of which the temporary stage for the amateur performers was erected. The members of the University Dramatic Association, under the leadership of Frank Lea Short as stage director, presented a performance symbolic of successive events in the history of Yale.

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WEDNESDAY, OCTOBER 23, 1901.

"Business."

Tuesday Evening, Oct. 22.—After a morning of dulness and declining prices, the stock market had a sudden accession of strength late this afternoon, and closed at sharp advances over yesterday.

The most noticeable feature was the buoyancy in the Chicago and Northwestern stocks, which began early and resulted in a 6 point rise for the common and 10 points for the preferred, 13, while St. Paul advanced 3. Union and Southern Pacific and the whole market responded, and the closing was at the top. Money was 3/4 per cent, closing at 2 1/2 and being a little firmer. Sterling exchange was strong. Government bonds were weak, and railroads irregular.

Wheat was fairly steady, closing a shade higher. Corn suffered from liquidation, but rallied later and closed at 1/2 lower. Oats sympathized with corn, but closed unchanged. Provisions were steady and 2 1/2 to 7/16 higher.

Cattle in Chicago were steady to slow. Hogs were 10/16 lower. Sheep were steady to 1/16 lower.

British Expenditures.

The denial by the London Economist that a special session of Parliament will be necessary to provide funds for the prosecution of the South African war is accompanied by figures which do not make pleasant reading for the British taxpayers.

The estimates for the present fiscal year were that the receipts would amount to a thousand million dollars in round numbers. Of this about seven hundred millions are revenue, and the remainder comes from the sale of a new issue of consols. The first half year, ended September 30, shows an expenditure of more than \$600,000,000, while the receipts are some \$100,000,000 less than the disbursements. In order to make the two balance it is necessary that the revenue shall increase for the remainder of the year, and this is expected. Even should this expectation be realized, the margin between receipts and expenditures will be narrow. It seems clear, however, that the deficit, should there be any, is not of sufficient magnitude to require an extra session of Parliament. In case of a temporary deficiency of revenue a short loan would be feasible.

Even for so great a country as Great Britain the expenditure of a thousand million dollars a year is unpleasant to contemplate, especially when three-tenths of it must be borrowed. This latter fact is not at all sweetened by the sale of consols at 94 1/2, a figure which would have been regarded a few years ago as impossible unless in the event of war with a strong nation. The great expenditures are only in part on account of the war, of course, but they help to foster discontent respecting the unexpected length of the war.

Consul General Dickinson's Stand.

The sympathetic action of the Russian and Turkish Governments in regard to the case of Miss Stone and Mrs. Tsilika is creditable, but no more than should be expected on the part of both those nations, while it is still to be seen if their efforts amount to anything. Turkey has nominal sovereignty over Bulgaria, in whose territory the outrage was committed, and Russia has long held the most intimate relations with the Government at Sofia. As we have the word of Consul Dickinson at Constantinople that the Macedonian Committee is responsible for the kidnapping and as this committee has been tolerated by the Bulgarian authorities for years there is no excuse for indifference. In fact, if the release of the two unfortunate women is not speedily effected, the two large nations will be held to a stricter accountability than even Bulgaria. Such

incidents as these often make history, and if Abdul Hamid is the shrewd statesman he is represented to be he will lose no time in compelling the surrender of the prisoners and in promptly punishing the brigands as quickly as they can be apprehended. The resources of an Oriental monarch for work of this kind are so extensive that there ought to be no great difficulty in his way, provided he is sincere in his promises.

The action of the American Consul General is that of a man equal to his position, though it is possible he may be mistaken in his conclusions as to the identity of the bandits. As Mr. Dickinson is known to be a warm-hearted man who would take no desperate chances where a woman's life and honor are concerned, we must believe he is acting for the best. If the brigands are really under the direction of the Macedonian Committee, as Mr. Dickinson is convinced they are, then the prisoners are in no real danger, and their ultimate release is certain. Mr. Dickinson is in a position where he can not afford to make a mistake, and the fact that he has shown no hesitation in taking his determined stand is the best reason we have for believing in its correctness. Should he accomplish the return of Miss Stone and her companion he will deserve great praise for the coolness that kept him from yielding to the pressure for an immediate and unquestioned ransom. He is on the ground, where he knows all the facts that any one can know, and we must presume he is right.

Low, the Reformer, Lo!

After all the things we call politics a bundle of perplexities as the thing we call Government is a bundle of compromises. Exactly how far the individual may wisely go in standing out against the party regularity must forever remain a problem with each man's conscience. In the end few of us get just exactly what we want, as, in the beginning, our range of selection, being abridged by the practical necessities of each succeeding dilemma, is often limited to what most of us regard as merely a choice of evils.

Take the pending municipal contest in the City of New York, for example. The Republicans did not want Seth Low. But they had to take him. Tammany, on the other hand, stood between the Devil and the deep blue sea. It was Coler, or Shepard. Neither was a thing of beauty, nor a joy forever; but it was the one or the other or nothing; so, the bravest took Shepard. It is now nip and tuck, hip and thigh, between Low and Shepard, who, three years ago were snuggling in the same crib. Truly, among many queer productions, politics makes very strange bed-fellows. In New York, at least, expediency has ever been the rule.

"Tammany has upon its hands the fight of its life," we are told. But the tiger, like the cat, has many lives. An organization which could survive Tweed was not born to die. It is in a sense immortal. That Richard Croker put it in peril when he bought an estate in England and set up for a country gentleman—that he actually defeated its ticket in the Roosevelt-Van Wyck fight when he made the fatal break with respect to the issue embodied by the rejection of Judge Daly—that he, more than it, is the issue now, is not to say that it is not a wondrous power; at once a political machine and an eleemosynary institution invested with great opportunities for good and evil.

If the followers of Low could reduce the contest to the point where they have pitched it—that is, all good men on one side, and all bad men on the other side—they would have a picnic. But what assurance has the poor layman who wishes to do right, no more and no less, that the mask of purism worn by the Republicans is not the merest sprig of catch woodcock? Why may not an honest Democrat see in Mr. Shepard an antidote against whatever virus it may be claimed exists in Croker and Tammany Hall?

The history of preceding reform movements in New York is not very encouraging to intelligent people who are able to distinguish between hawk and buzzard. The County Democrats came in only to out-Tammany Tammany. The Go-goos came in to make a monkey of morality. In each instance the taxpayers were glad to get Tammany back. In view of these things honest partisans ask themselves why they should sacrifice their party upon the altar of blatant phariseism? They say to themselves, why should we not give our own dog the benefit of the doubt?

But it seems that there is yet another question working its way to the surface. There is in New York a large vote made up of men who came originally from the South. For the first time a distinct appeal is made to these. They are asked as Southern gentlemen to turn aside from the vulgar Tiger and to vote for a gentleman in the person of Seth Low. If Mr. Low is elected Mayor, he and the President will be birds of a feather; machine politics will be relegated, along with Platt and Odell, to the rear; only Great Moral Ideas and Ideals, obliterating all minor distinctions of race and color and finding their own alone in the brotherhood of Man, shall prevail; so that the very sewers of the Metropolis shall run pure water newly distilled and sent rushing from Columbia Heights clear away to Oyster Bay!

It is a pretty conceit, a very pretty conceit. What are the Southrons going to do about it? And just here comes one of them with a letter to the Editor of the Courier-Journal, in which he says:

"I am an anti-Tammany Democrat. I was a Confederate soldier. I have lived in New York thirty years and have done well in my business. I had it in mind to vote for Mr. Low. But a neighbor of mine has in his possession a note from Mr. Low in which he says that he cast his vote against the placing of the name of Robert

Lee in the Hall of Fame. What do you think of this? Should it exercise any influence over my vote? Should it weigh in the present contest? I confess myself in doubt and I write to you frankly for counsel."

Between Mr. Low's ostracism of Lee and the present campaign for Mayor of New York there would seem at first blush no particular relation and considerable distance in point of time and place. But if we seriously consider the implication involved by Mr. Low's ostracism of Lee the case takes on another complexion. Let us stop a little and look at this.

Mr. Low voted to exclude Robert E. Lee from the Hall of Fame either because he regards Lee as a Rebel and Traitor deserving only to keep the company of the historic damned, or else he cast his vote against Lee through fear that with partisan Republicans and implacable Sectionalists an affirmative vote would some time or other come up in judgment against him in case he should entertain future ambitions of his own. Either way the motive is not very creditable to Mr. Low. It proves him at bottom either a hopeless malignant, or else a heartless demagogue. Yet Mr. Low is a scholar and a thinker and old enough to know better.

If we had a vote in this election there, we would see Mr. Low where he would sign the memory of Gen. Lee before he should receive it, Tiger or no Tiger, Tammany or no Tammany. In the world bears witness to the nobility of the character and genius of Robert E. Lee. The ages will confirm this judgment. To shut him out of any purpose of Hall of Fame is to draw a black line about the Southern section of the Union and to say that its best beloved are contraband of history. The man who does that puts an affront upon every man, woman and child in the South. In the case of Seth Low it is the less pardonable because he prides himself upon being an American and a liberal man, whereas such a vote proclaims him a narrow bigot, falsum in uno, falsum in omni. If he be so wanting in patriotism he must be short on morals and voters of Southern origin in New York should have none of him!

We hope that we make our meaning clear.

High Buildings and High Taxes.

The argument is made that the height of buildings in a city bears an inverse ratio to the taxes; that the lower the taxes the more high buildings may be expected. Louisville, according to this argument, has few buildings of ten stories or more because the tax rates are too high.

It was claimed during the meeting of the National Bankers' Association that Milwaukee has a lower tax rate than any other city of its class in the country. Cincinnati, St. Louis and Kansas City are also mentioned as cities that have lower tax rates and higher buildings than Louisville.

It is not at all necessary to controvert the advantage of moderate taxation. It is the application of the rule to which there is reason to take exception. When it is attempted to account for one fact by another, the first fact being admitted, the inquiry naturally arises, is the second statement a fact? Are the tax rates of the cities named really lower than those of Louisville?

The Courier-Journal has already quoted from the September Bulletin of the Federal Department of Labor, which gives statistics of cities of over 30,000 inhabitants. These figures are mostly for the calendar year 1900, though as to some of the data they are for the fiscal year expiring June 30 or August 30. They relate, however, to substantially the same time, and so offer a fair basis of comparison.

The tax rate per \$1,000 of assessed valuation of Milwaukee is given as \$23.14. This is not the lowest of any city of its class in the country. Precisely what is meant by a city of its class may be a matter of dispute. But Milwaukee is the fourteenth city in population in the United States, Detroit is the thirteenth and Washington the fifteenth. Certainly these three belong to the same class. Now in Detroit the tax rate is \$18.29 per \$1,000, while in Washington it is \$15. The conditions of Washington being exceptional, we may take the sixteenth city, Newark, N. J., where the rate is \$22.49.

We now take the comparison of Louisville with the other cities named. The tax rate per \$1,000, including State and local, is given as \$22.65, which is somewhat less than that for Milwaukee. Cincinnati has a tax rate of \$25.93 per \$1,000; Kansas City, \$30.90; St. Louis, \$19. Of the four cities named, therefore, St. Louis is the only one that has a lower rate than Louisville.

In a sense, these rates are nominal because the real value of taxation depends upon the methods of assessment. The report before us gives data on this point also. In one column is given the legal basis of assessment in percentage of full value; in another the basis in practice is given as 60 per cent. In St. Louis the legal basis is 100; the basis in practice 67 to 75. In Kansas City the legal basis, 100; the basis in practice, 40. Making corrections in the nominal rate to equalize the assessments we shall find the real rate of taxation in St. Louis but a trifle smaller than in Louisville. Similarly the rate in Kansas City to \$20.69, which is less than the Louisville rate, though the difference is by no means enough to account for any great difference in the prosperity of the two cities. But of the three cities named that assess on the same basis, Louisville has the lowest tax rate. It is apparent that the number of high buildings is not in an inverse ratio to the rate of taxation.

There are grave doubts whether many cities have not carried the erection of high buildings to an extreme. However

this may be, it will probably be found that a great inducement to the erection of tall buildings is the price of the ground. A one or two-story building on a high-priced lot is not remunerative under ordinary conditions. Whether a ten or twenty-story building will pay or not depends upon the demand. This may be affected by the rate of taxation in the city, where it is very high or very low, but there are many other factors. The views of capitalists as to future demand and possible rents have something to do with the question, and as to both it is possible to make costly mistakes. In general, however, it may be said that when there is an effective demand for such buildings there will be capital forthcoming to put them up, and it will not be frightened off by the difference of a dollar or two in the taxation per \$1,000 of assessed value.

Unquestionably the lowest rate of taxation consistent with efficient service is always desirable. This is not a question for argument. But there is no reason why Louisville should be held out to the world as a city where higher taxes prevail than in others when such is not the fact. Minneapolis, Minn., which is the next city below Louisville in population, has a rate of \$27.40 on the same basis of assessment. Jersey City, N. J., the next city above Louisville in population, has a rate of \$23.30. The basis of assessment there is said to be 100 per cent. of full value, but the total assessment is only \$33,225,000 against \$121,000,000 in Louisville. If its property is assessed to the full value, therefore, it is a much poorer city than Louisville in spite of its superiority in population.

Louisville stands well in comparison with the other cities of the country. It is quite possible to make an argument in favor of improvement, where it is needed, without depreciating the standing of the city as compared with others.

When a man goes from business to society the natural inference is that his business will suffer. This appears to be the opinion of a great many of the aristocratic friends of Sir Thomas Lipton, who has been winning golden opinions as a yachtman, even if he cannot win races. At any rate, the London correspondent of the New York Herald cables his paper the news that the following notabilities have got rid of all the stock they once held in its incorporated business: The Speaker of the House of Commons, who held 1,000 shares; the Duke of Fife, 1,000; Lord Rothschild, 5,000; Lord Selborne, 1,500; Mr. Kennedy Jones, 2,000; Mr. Arnold Morley, 1,250; Mr. T. P. O'Connor, M. P., 1,000; Mr. Eustace Jamieson, M. P., 1,000; Mr. Tim Healy, M. P., 750; Mr. Pamphure Gordon, 1,000; Mr. A. G. Murray, M. P., 1,000; Mr. Clement Scott, 750; the Earl of Portsmouth, 500; Mr. Harold Harmsworth, 200; besides a host of others ranging from 100 to 2,000 shares each. On the other hand Sir Thomas retains his old holdings of 33,433 shares out of the entire half million, and some of his close personal friends are said to have increased the amount of their shares. It is to be hoped Sir Thomas is not like Boston's own yachtman, Thomas Lawson, who has ruined about all the men that listened to his business advice, while at the same time cutting a conspicuous figure in the yachting and horse world. Investors in the Lipton company at the start have made a great deal of money.

A London cablegram to the New York Herald reports that the cotton shortage at Liverpool is getting serious, and that a repetition of last year's cotton famine and stoppage of machinery is very likely. This is probably true, as British manufacturers have bought little of the present crop, but the prevention or the cure of the famine is easy. Cotton is abundant and cheap, and if the spinners will not insist on paying less than it is worth they can get all they need. The South has a monopoly of the raw material, and being better able to hold back for higher prices has done so with the result that England has become alarmed. But without reason. Affairs now seem somewhat on the mend, as exports and port receipts are showing large increases.

Mrs. Leonora E. Piper, after fourteen years' service as a medium, has now come out and honestly admitted that she does not believe she has had any communications with the other world in her trances. However, the spiritualists experts of the Society of Psychical Research, who have been using Mrs. Piper so long in their investigations, refuse to accept her word, and still maintain she is a clairvoyant. Quite naturally, people who believe in spiritualism cannot believe anything that runs counter to their darling creed.

Messrs. Levi P. Morton and Pierpont Morgan paid \$40,000 for Lafayette relics in Paris, intending to give them to the Congressional Library, but the Treasury Department rules that they must pay \$10,000 duty on the souvenirs before they can be brought into this country. If our glorious tariff had been in force during the days of the Revolution it would have even barred out Lafayette and his ships.

So Venezuela has defaulted payment of \$6,000 due the United States on claims growing out of her revolution in 1892, while Castro is still trying to get up a revolution in 1901. A little patience and we may send in our bills against Venezuela on the basis of three revolutions for a quarter.

The New York Milk Commission declares that "the milk from a cow that is milked by a smooth-faced man is purer than the milk from a cow milked by a man with whiskers." There was little reason for the agitation of this question before the milkmaids became club-women.

BRIEF POINTS ABOUT PEOPLE.

Miss Virginia Perrin will be the hostess at a euchre party to be given Friday evening, November 1, at the home of Mr. and Mrs. Lee Robinson.

Miss Fannie Evans, of the Galt House, will give a luncheon Saturday, November 2, at the Galt House in honor of Miss Margaret Cobb.

Mrs. Arthur Noble Sager, of St. Louis, formerly Miss Mittle Cowling, is in the city visiting her grandmother, Mrs. Amelia Churchill, on West Ormsby avenue.

Miss Gertrude Clark, of Mt. Pleasant, Tenn., is in the city visiting her aunt, Mrs. J. H. Morris.

The marriage of Miss Florence Curd and Mr. Percy Booth will be solemnized this evening at 9 o'clock at the First Presbyterian church. The bride party was given a beautiful dinner last evening at the home of Dr. and Mrs. W. O. Roberts by Miss Ethel Roberts.

Gen. and Mrs. Brad Duke, Mr. and Mrs. C. Culbertson, and Mrs. R. P. Bonnis and Mr. and Mrs. Roland Whitney have been asked to chaperon the ball which the dancing class will give this evening in the men's parlor of the Galt House.

Mrs. Virginia Montgomery, of 1233 Third avenue, will be the hostess at a reception to be given this afternoon from 4 to 6 o'clock.

Miss Elizabeth Todd Hodges and Mr. Leonard Weekley Doolan will be married this evening at 8 o'clock at McFerran Memorial Baptist church.

Mr. Jack Lowry is in the city from Tennessee to attend the opera.

The date of the marriage of Miss Sallie Fetter and Mr. Harry I. Wood has been set for December 4. It will be solemnized at the home of the bride's parents, Mr. and Mrs. James M. Fetter, of 1243 Third avenue.

Miss Anna Monroe, of Houston, Tex., and Miss Margaret Thornton, of Lexington, will return to Lexington to-day after a visit to Mrs. Samuel Boyle. They will be accompanied by Mrs. Boyle, who will make a short visit, will go to Danville to attend the wedding of her daughter, Miss Sarah Cecil, and Mr. Frank Taylor.

Mr. Mason Brown, of Frankfort, will return home to-day after a short visit to Mr. Mason Barrett. He came to attend the opera.

Mrs. William Ayres, of Danville, who has been the guest of Mrs. Q. D. Vaughan, returned home yesterday.

Miss Sunshine Hines, now of New York, who has been spending the summer in San Francisco and other parts of California, reached the city yesterday, and will be the guest of Mr. and Mrs. Presley Tapp for ten days.

Mrs. V. Aschaffenberg, of New Orleans, will return home to-day after a visit to Mrs. Fred Fishback, on West Broadway.

Mrs. Gertrude Bell will give an informal luncheon for twelve to-day.

Mrs. George Long will entertain at luncheon at her home on the Bardston road next Monday afternoon.

Mrs. Frederick Joy, who has been in Bar Harbor, Me., and in New York for several months, is now at Hot Springs, Ark. She is expected home Saturday.

Mrs. Francis Walcott, of Chicago, reached the city Monday and is the guest of her sister, Mrs. Roland Whitney.

Mrs. T. J. Minary, who returned home after a short visit to New York.

Miss Edith Worthington has returned from Lexington, where she attended a German given by the Lexington Athletic Club.

Mr. Branch Pressley, who is spending this week in Versailles, will return home in a few days.

Mr. William True is the guest of his sister, Mrs. Norvin Harris, at her country home at Lyndon.

Miss Anastasia Miller, of Versailles, is spending several days at the Galt House, having come to for the opera.

Mrs. M. H. Gunther, Miss Elsie Gunther and Miss Fannie Lee Gunther, of Memphis, Tenn., are at the Louisville Hotel on their way home from Bloomfield.

Mr. and Mrs. W. J. Brown gave a box party last night at the Auditorium, which their guests were Mr. and Mrs. Lawrence Jones, of Anchorage; Miss Chapin, of Pensacola, Fla., and Miss Eliza Minnigrode.

Mrs. Seymour Locke, of Pasadena, Cal., is in the city after an absence of ten years, and is the guest of Mr. and Mrs. Young E. Allison.

Mrs. Locke will be remembered as Miss Kate Greenleaf, who was well known in Louisville society in her girlhood.

Mrs. W. F. Barret, of Frankfort, is in the city visiting Miss Lizzie Wood. She came for the opera engagement.

Mrs. L. T. Robertson, who has been the guest of Mrs. Mary A. Dean, will spend the rest of the week with Mrs. A. H. Irwin.

Miss Florence Ronald Barclay, a successful church and concert vocalist, who recently located here, has been engaged as leading singer and soloist of Calvary church, which she will attend this evening at 8 o'clock.

Miss Barclay is a good musician and a fine singer, and the impression was made when she sang in the church last summer led to the engagement.

Mr. and Mrs. Marion E. Taylor, of 1224 Third avenue, will give a dinner party Friday evening, October 28, at the Galt House, in honor of Miss Marie Dodd and Mr. Thomas Q. McGowan.

Miss Bertha Cooper will give a dinner party Monday evening, October 28, at the Galt House, in honor of Miss Marie Dodd and Mr. Thomas Q. McGowan.

Misses Elsie and Kate Murray, Mrs. Bee Irvine and Master Murray Quinn, of Lexington, are in the city, having come for the opera season.

Mrs. R. H. Allen and daughter, Miss Eliza Hunter Caldwell, and Little son, Master Logan Caldwell, have been in the city, the guests of Mrs. Andrew M. Sea.

Dr. George S. Coon and Dr. J. E. Mann left yesterday for Atlanta to attend the meeting of the Southern Homeopathic Association.

Mrs. Carrie Taylor and her daughter, Miss Eliza Taylor, of Bowling Green, are in the city for the grand opera.

BIG LAND DEAL

Eleven Hundred Acres In Shelby County

SOLD TO MR. WEISSINGER.

ABOUT \$100,000 PAID FOR VALUABLE TRACT

OVERLOOKING SHELBYVILLE.

Bowling Green City Council Making An Effort To Obtain Cheaper Telephone Rates.

FATAL ACCIDENT IN PADUCAH.

Shelbyville, Ky., Oct. 22.—[Special.]—The biggest real estate deal known in Shelby county of recent years was consummated at the law office of Willis & Willis here to-night. The purchaser is Col. Harry Weissinger, the Louisville tobacco magnate, and the sellers are several of Shelby's wealthiest land owners. By the deal Col. Weissinger becomes the owner of 1,100 acres of land in one body just south of town, for which he pays in round numbers \$100,000. Those who sold the land are Howard Harbison and brothers, 400 acres, at \$100 an acre; J. M. Wakefield and T. R. Webster, 270 acres, about \$80 an acre; P. F. Beard and sisters, 270 acres, \$75 an acre; Ben McElfickin, seventy acres, about \$75.

The whole tract runs from one road to another and overlooks the town, with the Harbison homestead in the forefront, and will make one of the handsomest homes and most valuable farms anywhere within the same distance of Louisville. The four farms were sold without any one of the owners knowing the others were in the market. Options were quietly taken and all were closed to-night when the parties to the deal met Col. Weissinger.

The deal was engineered by James C. Bright, manager of the Farmers' Tobacco Warehouse, who lives here.

CHEAPER RATES DESIRED.

Bowling Green Council Begins War On Telephone Companies.

Bowling Green, Ky., Oct. 22.—The war on both the East Tennessee Telephone Company and the Park City Telephone Companies, has commenced in earnest. The City Council last night ordered the East Tennessee Telephone Company to remove its poles and wires by January 1, 1902. It also ordered the local company, which has poles and wires, to remove its poles and wires by the same time, but having been granted a franchise it was given the privilege of putting its wires underground. If the order is not obeyed, the city should be carried out it would drive this company out of Bowling Green.

The whole thing is simply a fight for cheaper telephone rates, the East Tennessee having absorbed its rival local company. The matter will be fought out in the courts.

DENY THE CHARGE.

Lexington Men Claim They Had No Intention of Defrauding Government.

Lexington, Ky., Oct. 22.—[Special.]—The rule issued by Judge Evans of the United States District Court in Louisville against C. W. Townsend and L. L. McClure, charging that they received illegally witness fees from the Government, is not pleasantly received by them. The Government claims they were witnesses for the defense in the case against W. J. Shaughey, charged with fleeing newspapers throughout the country by advertising for students for a telegraph school and then by changing the name of the proposed institution to avoid payment for the advertising. Townsend and McClure claim to have brought this matter to the attention of the post-office officials, which resulted in the accused making a confession last week in Frankfort before Judge Cochran that he had a fine of \$500 to the Government. The men claim they were regularly summoned to appear in the case, being sworn in open court to appear at the next term for the prosecution.

Townsend and McClure claim they were summoned to appear to deny the case against their protests and that they had no intention to defraud the Government.

TRAVELING MAN KILLED.

Alexander Brown Meets With A Fatal Accident In Paducah.

Paducah, Ky., Oct. 22.—[Special.]—Alexander Brown, a young man, thirty-two years of age, was the victim of an accident late last night that resulted in his death to-day. He was returning from the country in a buggy when the driver attempted to cross in front of a street car. The buggy was struck and both occupants were thrown to the ground. Jake Oeschlager, the driver, fell to one side of the car, and Mr. Brown fell with his lower limbs across the track. He was run over by the car and both legs were amputated. Oeschlager was not hurt. Mr. Brown was a veteran and had served in the war. He represented Fulton and Hickman counties in the Kentucky Legislature. He traveled all over Louisville, and was a Confederate soldier.

LABOR ORGANIZER SHOT.

Killed By A Miner In Middleboro.

Middleboro, Ky., Oct. 22.—[Special.]—Dan Elam, a miner and labor organizer from the Straight creek mines, in this county, was shot and instantly killed this morning in C. D. Ball's saloon by Henry Cummings, a miner at the Romance mines. The two men had been enemies for some time and when they met, almost without a word, both started to draw their revolvers. Elam fired first, hitting Cummings in the chest three times before the latter could draw his weapon. Cummings surrendered and is now being guarded to prevent violence being done by friends of the dead man.

Cummings is now under indictment in Claiborne county, Tennessee, for the murder of a miner some time ago near the Mingo mines.

"OLD FOLKS" DAY

At the Mayfield Carnival Proves A Success.

Mayfield, Ky., Oct. 22.—[Special.]—The carnival and street fair has been in full blast all day. This was "Old Folks' Day" and 172 persons over sixty-five years of age marched in a procession. The country store is one of the best-patronized attractions inside the grounds. The president of the store is Frank James, of St. Louis, who arrived this morning. He is the guest of James Brandt, an old friend and acquaintance. Thousands of people both old and young are coming to the city to see the former bandit.

The weather is all that could be desired.

WILL HONOR HIS MEMORY.

Monument For the Grave of Col. Robert Craddock.

Bowling Green, Ky., Oct. 22.—The body of Col. Robert Craddock, a Revolutionary soldier, who died leaving a fortune in the way of a school fund for the education of poor children in Warren county, will be disinterred and buried in the beautiful Fairview cemetery, in this city. Col. Craddock's body now lies in a neglected grave in the country. The City and County Fiscal Courts have united in purchasing the best lot obtainable and a handsome monument will







## "Go'way back and sit down"

is what we say to competition when it comes to trousers. The "Paragon" and the "Crown" Trousers have no rivals; they're the best on earth for their price—\$3 to \$7.50. They fit and have the style of to-day's trousers. Their colorings are exclusive. Sold only at



**Boonharts**  
**OUTBREAK**

## Reported On the Island of Samar.

## MARINES TO AID SOLDIERS.

## CRUISER NEW YORK LEAVES FOR SEAT OF TROUBLE.

## DANGER IN OTHER QUARTERS.

Washington, Oct. 22.—The Navy Department has received the following cablegram from Rear Admiral Rodgers: Cavite, Oct. 22.—Secretary Navy, Washington: Active insurrection in Samar. New York leaves to-day for Cebu and Balangiga to co-operate with army. Naval officials construe the dispatch to mean that the New York will go first to Cebu and then to Balangiga, landing detachments of marines at each point.

Chaffee's Views.  
Gen. Chaffee does not expect to hear of any extensive engagement in the island of Samar. He believes the operations there will not result in an open fight. It is hard to find armed Filipinos, but every man without occupation will be compelled to go into a town.

It is reported that all the rifles captured by the Filipinos at Balangiga are now in the island of Leyte, where many bolomen are known to have gone from the island of Samar. In fact Leyte is as disturbed as Samar.

The object of the re-enforcement of American troops now being pushed forward is to increase all the garrisons to thirty-eight men. Some of them have until recently numbered only eight men. The re-enforcements will also allow the detailing of working force to operate in the field, hitherto for insurgents.

## Bolomen In Luzon.

Gen. Wheaton reports that a band of bolomen has entered Tarlac province, south of Manila, through Pangasinan province, and that the men composing it are distributing inflammatory bulletins, which are also posted on the church doors, warning the people to prepare to take the field in January. Some of the friendly natives were informed by the bolomen that various bands of armed natives would shortly concentrate in the vicinity of Rosales.

A harmonious agreement has been reached between Gov. Taft and Gen. Chaffee regarding habeas corpus proceedings in the case of military prisoners. The law has been amended so as to cover such cases.

## STILL STUBBORN.

CZOLGOSZ REFUSES TO RENOUNCE ANARCHY.  
Has a Long Conference With a Priest, But the Interview Is of No Avail.

Auburn, N. Y., Oct. 22.—Leon F. Czolgosz, the assassin of President McKinley, who is awaiting electrocution in the prison here during the week commencing next Monday, fully realizing that his death is now a question of a few days, has asked for spiritual consolation, and this afternoon received a visit from the Rev. T. Szadinski, a Polish priest of the Roman Catholic church.

The interview between priest and prisoner proved very unsatisfactory to both. It took place in the condemned man's cell and conversation was carried on in Polish. During the interview Czolgosz said that he had been baptized in the Roman Catholic faith when he was a child, but that he had abandoned the church early in life and had lost faith in its teachings. Father Szadinski urged him to renounce his belief in anarchy and return to the faith of his early years. Czolgosz declared that he would do so and he was informed that unless he could be converted the church would be denied him. The priest urged the condemned man to consider this matter carefully and told him that if at any time he decided to re-embrace the faith he would return from his home in Rochester and stay with him until the end.

Father Szadinski, before taking his departure, left with Czolgosz some Catholic literature, printed in Poland, and also some emblems of the church. Czolgosz assured Father Szadinski that in case he determined to accept the offices of religion he would need for him, but he did not hold out much hope that he would renounce the doctrines of anarchy.

Warden Mead and Superintendent Cotterly arranged at their conference in Albany yesterday afternoon all the details and fixed upon those to be invited to witness the execution.

The law requires the invitations be sent out three days before the date of the execution, and the law will be lived up to in the present instance.

## IMP GETS BACK IN GAME

Famous Mare Beats St. Finnan In a Fast Race At Morris Park.

## WATER COLOR WINS A STAKE.

Denman Thompson, the Outsider, Defeats a Good Field At the Worth Track.

## SEVERAL RECORDS SMASHED.

NEW YORK, Oct. 22.—The famous black mare Imp won the fifth race at Morris Park to-day, to the delight of the crowd. She was at 2 to 1 in the betting and ran a fine race, beating the mile in 1:40 flat, one of the fastest miles of the meeting. De-canter was the favorite, but the best he could do was to run third. Imp and St. Finnan had the race between them throughout, running neck and neck all the way. Imp was game, and under Shaw's best ride, won by a head.

Water color, at the previous price of 1 to 5, won the Dickina Stakes. He made most of the running, and won, ridden on from Tom Kenney, the outsider, who beat Dublin half a length for the place. Pomme Solo won the Silverbuck, the other fixture, at 5 to 1. Summaries:

First Race—Selling, seven furlongs: Quessaw, 9 (Henderson), 4 to 1, won; Lucky Star, 9 (White), 10 to 1, second; Handicapper, 10 (Martin), 15 to 1, third. Time, 1:38.4.

Second Race—Selling, four furlongs: Keynote, 10 (Cochran), 2 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:20.4.

Third Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Fourth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Fifth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Sixth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Seventh Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Eighth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Ninth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Tenth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Eleventh Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Twelfth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Thirteenth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Fourteenth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Fifteenth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Sixteenth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Seventeenth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Eighteenth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Nineteenth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Twentieth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Twenty-first Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Twenty-second Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Twenty-third Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

Twenty-fourth Race—Selling, one and one-half miles: Pomme Solo, 10 (Cochran), 5 to 1, won; Honolulu, 10 (Shaw), 6 to 1, second; Josephine, 10 (Cochran), 10 to 1, third. Time, 1:40.4.

class to to-day Fair Grounds race, which was made up of big and unweirdly fields. Favorites and outsiders won in equal proportion. The track was fast. Summaries:

First Race—Six furlongs: selling: Miss Guido, 10 (J. Daly), 12 to 1, won; One Star, 10 (J. Daly), 10 to 1, second; Lady Home, 10 (J. Daly), 7 to 2, third. Time, 1:15.4.

Second Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:08.4.

Third Race—Seven furlongs: selling: Revolve, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Fourth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Fifth Race—Six furlongs: selling: Aline S., 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Sixth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Seventh Race—Six furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Eighth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Ninth Race—Six furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Tenth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Eleventh Race—Six furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Twelfth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Thirteenth Race—Six furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Fourteenth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Fifteenth Race—Six furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Sixteenth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Seventeenth Race—Six furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Eighteenth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Nineteenth Race—Six furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Twentieth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Twenty-first Race—Six furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Twenty-second Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Twenty-third Race—Six furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Twenty-fourth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Twenty-fifth Race—Six furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Twenty-sixth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Twenty-seventh Race—Six furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Twenty-eighth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Twenty-ninth Race—Six furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

Thirtieth Race—Five and one-half furlongs: selling: Nettie Regent, 10 (J. Daly), 10 to 1, won; Lillian M., 10 (J. Daly), 10 to 1, second; Lillian M., 10 (J. Daly), 10 to 1, third. Time, 1:18.4.

## FAST PACING BY DAN PATCH

The Son of Joe Patchen Wins Principal Event At Memphis.

## TRACK IN SPLENDID SHAPE.

The Abbot Will To-day Go Against the World's Trotting Record, Held By Cresscus.

## CAPTOR IN STRAIGHT HEATS.

MEMPHIS, Tenn., Oct. 22.—The card offered by the Memphis Trotting Association to-day was an attractive one and 3,000 people were in attendance when the first race was called. The new track is regarded by visiting horsemen as one of the fastest in the country, and it is confidently expected that some day the Abbot, who to-morrow expects to beat the world's trotting record of 2:04, will give a good account of himself.

To-day's races were well contested as a rule, the most exciting finish occurring in the free-for-all wagon trot when Mabel Onward and Ellet finished noses apart in both heats.

The 2:10 pacing event was won by Tom Nolan after Frazier and Lou Vaughan had each won a heat.

Tom Nolan, h. b. (Hutchinson), 3 to 1, won; Dan Patch, h. b. (Hutchinson), 10 to 1, second; Frazier, h. b. (Hutchinson), 10 to 1, third. Time, 2:10.4.

Tom Nolan, h. b. (Hutchinson), 3 to 1, won; Dan Patch, h. b. (Hutchinson), 10 to 1, second; Frazier, h. b. (Hutchinson), 10 to 1, third. Time, 2:10.4.

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## GOOD ROADS

And Good Rivers Was the Theme.

## COMMERCIAL CLUB MEETING.

## PRESIDENT NAIL NAMES LEGISLATIVE COMMITTEE.

## TO VISIT GENERAL ASSEMBLY.

## Interesting and Instructive Speeches By a Dozen Men of Wide Experience.

## THE PLANS FOR THE FUTURE.

This was















**The Latest School Yell.**

Sweater-sock! Sweater-sock! Best you ever had! On your back! For Football Parts we have the latest in Sweater-socks! All sizes and all colors—Levy's! Rahl! Rahl! Rahl!

The greatest stock of Sweater-socks we've ever carried. Cotton, wool and worsted—from \$5c to \$1.00. All sizes and all colors—including special club colors. Boys!

Foot-ball Pants **75c**

Good ones. Made of extra strong canvas, with heavy padding. Grand values at 75c. Football and bowling supplies of all kinds. Close estimate on club outfits.

*Smyth Bros*

**Courier-Journal.**

WEDNESDAY, OCTOBER 23, 1901

**CITY FEATURES.**

For boilers, tanks, stacks and sheet iron work. HENRY VOGT MACHINE CO.

W. T. Spence's address: Crewe, Va.

**NEEDS**

**Of the Ohio River To Be Discussed.**

**IMPROVEMENT ASSOCIATION**

**WILL CONVEY IN PADUCAH THIS MORNING.**

**A MEMORIAL TO CONGRESS.**

Paducah, Ky., Oct. 22.—[Special.]—Arrangements for the reception and entertainment of the seventh annual convention of the Ohio Valley Improvement Association, which will convene here tomorrow morning for a session of two days, are completed.

The headquarters of the convention will be in the Knights of Pythias hall. The delegates will assemble in the hall at 9 o'clock and register. The convention will be called to order at 10 a. m. by Capt. Joe Power, Chairman of the Citizens' Committee. The invitation from the city will be extended by Mayor James H. Lang, and the address of welcome will be delivered by Congressman Charles K. Wheeler, after which Col. John L. Vance, of Columbus, O., the president of the association, will take the chair, and the body will get down to business.

On Wednesday evening, commencing at 9:30 o'clock, a banquet will be given to the visiting delegates and guests at the Palmer House. Covers will be laid for 150.

**Entertainment of Guests.**

Thursday morning will be spent at business in the convention hall, and in the afternoon, if the association gets through with the business before it, there will be a boat ride on the river. On Thursday night tickets will be given to all of the delegates to attend the performance of the Wilkes Opera company at the Kentucky Theatre. Two hundred seats, as well as boxes, have been reserved for this occasion.

The delegates will arrive in the morning in three special cars and will remain until Thursday night.

**The Association.**

The Ohio Valley Improvement Association was organized in Cincinnati in October, 1895. Its membership includes most of the representative steamboatmen, coal men, manufacturers and others interested in the improvement of the river.

Its officers are: President, Col. John L. Vance, Secretary, Col. E. B. Wilson, Treasurer, James Parker. The general office is in Cincinnati. A vice president is to be selected from each city of importance on the Ohio river.

**Object of Organization.**

The object of the association is to bring before Congress in an intelligent manner the improvements needed in the Ohio river in order to facilitate navigation; the location of locks and dams by which a six-foot stage may be maintained during the lower stages of water from Pittsburgh to Cairo; the repairing of the banks where cuts and inroads have been made by the action of the currents and high water, and such other permanent improvements as will prove beneficial to the whole country.

The complete survey of the Ohio river has been made from Pittsburgh to the mouth of the Big Miami, above Cincinnati. Locks and dams have been put in from Marietta up. Others are being constructed under the continuous contract system. The river is being kept free of snags and obstructions, and a great deal of waste land reclaimed. It is proposed to extend this work to Cairo.

The river men and business men of this city are greatly interested in the coming of the river, and have lent their financial assistance for a royal reception and entertainment.

**Memorial To Congress.**

The principal feature of the convention will be the memorial to Congress setting forth the needs in the way of improving the river. Particular emphasis will be laid on the necessity of constructing a dam at Joppa, Ill., twenty miles below this city. This dam would make a good current over the reef at the upper end of the little chain.

Capt. F. M. Dougherty, of Louisville, arrived Monday, and is organizing a local branch of the association. The association now has branches in all cities along the Ohio river from Pittsburgh to Cairo.

During the business session light refreshments will be served in the hall.

**WANTS LIEN.**

**Mother Says the Daughter Broke Agreement.**

**THREE DIVORCES GRANTED.**

**PAT PRICE GETS TWO SENTENCES IN ONE DAY.**

**WORK OF THE GRAND JURY.**

Jane Hotopp claims to have entered into an agreement with her daughter, Sophie Scher, March 24, 1899, under which, in return for \$750, her daughter was to furnish her with a home and take care of her as long as she lived. Mrs. Hotopp states that she lived with her daughter until September, 1901, when she was compelled to leave her daughter's home on account of abusive treatment. The money alleged to have been paid by Mrs. Hotopp is said to have been used by her daughter in the purchase and improvement of a lot situated in the Courtyard Land Company's subdivision. Mrs. Hotopp entered suit yesterday against her daughter for the cancellation of the agreement and asking that she be adjudged to have a lien on the property to secure the repayment of \$750.

**Three Sue For Divorces.**

Suit for divorce was entered yesterday by Mattie Cale from George S. Cale. They were married January 11, 1890, and drunkenness and cruelty are alleged. Judge Field granted a restraining order to prevent Cale from molesting his wife.

Alvin Webb sued for divorce from Lizzie Webb on the alleged ground of abandonment. They were married in Jeffersonville, August 4, 1900.

Sophia Dienst entered suit for divorce from Frank Dienst on the alleged grounds of abandonment and five years continuous separation. They were married in Louisville in 1888. Dienst is said now to be in the Soldiers' Home at Fort Leavenworth.

**Dispos of Their Estates.**

The will of Bridget A. Flaherty was probated yesterday. The following bequests were made: Ann Fahey, testatrix's sister, \$300; Lillian Society of St. Louis Bertrand church, \$300 for masses; Margaret Flaherty, testatrix's daughter, \$300. The residue of the estate is left to testatrix's children, Margaret Flaherty, Clara Flaherty and Martin Flaherty. M. J. Winn is named executor.

Anna Thomerson is the sole devisee of the probated will of her husband, Charles A. Thomerson.

The probated will of John Bauer makes his wife, Mina Bauer, the sole devisee and executrix.

**Price Sentenced Twice.**

Pat Price, colored, boarded the front part of a street car at Seventh and Myrtle streets and while the motorman was turning the car on the turn-table, Price opened the cash box and stole \$7.50. He was convicted yesterday in the Criminal division and given twelve months in the workhouse.

Right on the heels of this, Price was put on trial for maliciously shooting at James Wagner, also colored. The evidence was conclusive, and the verdict was five years in the penitentiary.

**Two Indicted For Murder.**

The grand jury presented the following indictments yesterday and adjourned to meet this morning at 10 o'clock:

Willful Murder—James Hicks, colored, charged with the murder of Fred Thornton, also colored, on the steamer City of Cincinnati, September 7; Wash Nesbit, charged with the murder of Russell Stockard September 14.

The charge against James Crutcher, of maliciously shooting at without wounding Chas. Traube was dismissed.

**Court Paragraphs.**

—W. H. Hall sued P. C. Kennett for \$100, alleged to be balance due on a car-load of hogs.

—John H. Pfeiffer sued John W. Pfeiffer for \$320 for alleged failure to complete a contract for the erection of a frame house in Jefferson county.

The indictment charging Albert Anderson, colored, with breaking into the home of Martha Davis, was dismissed on account of the absence of the Commonwealth's witnesses.

—A verdict was returned in the Common Pleas division in favor of the L. and N. in the suit of Wilkes Marshall Smith for \$3,000 damages. He was the motorman of the street car which was struck by an L. and N. train at the Fourth-avenue crossing in November, 1899.

—Al. Smith, colored, has served two terms in the penitentiary and when his third trial on the charge of breaking into the Louisville Tobacco Warehouse Company's warehouse and stealing \$5 worth of tobacco was begun, a life sentence was in store for him. But it was finally agreed to allow him to plead guilty and be given five years.

The indictment charging a negro boy, charged with stealing a bicycle, the property of Robert Minton, was begun yesterday. The boy was charged with having stolen the bicycle and to have advertised it. Judge Barker adjourned the trial until this morning to give Thomas an opportunity to find the advertisement.

**Court of Appeals.**

Frankfort, Ky., Oct. 22.—Present, Chief Justice Paynter and Judges Guffy, DuBois and White.

Woman's Club, corporation, vs. Reed, et al., Jefferson Common Pleas; reversed; whole court sitting in case; Judges Hobson and White dissenting.

Weber vs. Tanner, Jefferson Law and Equity; appeal from original judgment affirmed, and same vs. same, from order reversed.

Commonwealth vs. Headly, McCracken; reversed; whole court sitting; Judges DuBois and White dissenting.

Hill's assignees vs. Cooksey, Warren; affirmed.

**Petitions for rehearing and modification of opinion filed in the following cases were overruled:** Second National Bank vs. Fitzpatrick, Madison; Citizens' National Bank vs. Forman's assignee; Boyler vs. Crutcher, Lexington; Board of Missions of the M. E. Church, Mercer; Sice vs. Carter, Grider vs. Dayvater, Warren; Ryder vs. Sime, Logan; Kinney vs. Eidenman, Kenton; Bogard vs. Turner, two cases; Trigg; Barrett vs. Quirk, Bullitt; Schneider vs. McGill, Jefferson; and Reams vs. McFarlane, Laurel.

Whitney vs. Davis, Jefferson; motion to advance overruled.

N. T. Life Insurance Company vs. Johnson, Jefferson; affirmed.

**Dr. Bull's Cough Syrup is a very effective remedy for coughs and colds. It is equal to all other cough syrups. It is made of purest ingredients and is available for all ages and conditions. It is available for all ages and conditions. It is available for all ages and conditions.**

son's administrator, Jefferson; motion for oral argument sustained and case continued.

O. Ewing and W. O. Davis sworn as attorneys at law in this court.

L. and N. vs. R. Co. vs. Reynolds, Barron; grounds filed and motion by appellant for oral argument submitted.

Patton's assignee vs. Figg, etc., Jefferson; copies of judgment, etc., filed by appellant, with motion to dismiss appeal; motion submitted.

C. N. O. and T. P. Railway Co. vs. Cook's administrator, Mercer; Crews vs. Crews' administrator, Trigg; Stone, partner, etc., vs. Hart, etc., Fleming; Commonwealth, etc., vs. Barnett, Christian, and Edwards vs. Pusey, Bell; agreement filed in each of above cases to briefs.

Polmer vs. Commonwealth, Breathitt, and Calhoun vs. same, Green; submitted.

Trice vs. Chittum, Warren; appellant given till November 5 to brief.

Coleman vs. O'Leary's executor, Jefferson; appellee's counsel, P. P. and W. W. Muir, given leave to withdraw and print brief.

Burke vs. Burge, Warren; rule awarded against W. E. Garth to return record to the Clerk's office.

Hasson, Jr. vs. Wallace, Mason; appellant filed an affidavit and moved for a writ against the lower court to show cause why he shall not deliver to appellant or his attorney the transcript of the record herein; motion submitted.

U. S. B. and L. Association vs. Day, Knox; grounds filed and motion to dismiss appeal submitted.

Steeley's creditors vs. Steeley, Whitley; appellee filed grounds and moved for award damages on affirmation; motion submitted.

Combs vs. Combs, Perry; appellant given twenty days' extension of time to file brief.

Carson vs. Singleton, Fayette; death of W. E. Singleton suggested and revived by consent.

Spear, etc., vs. Thomas, Bourbon; appellee given thirty days' extension of time to file brief.

Halliday vs. Fields, Perry; affidavit filed and on motion of appellant guardian ad litem for infant appellees appointed.

Spencer, etc., vs. Society of Hoken, Mercer; appellant given twenty days' further time to file petition for rehearing.

Heilerich & Son vs. Franklin Insurance Company, etc., Jefferson; appellants filed a response to petition for rehearing.

Aetna Life Insurance Company vs. Hartley, Marion; agreement filed, giving appellant until November 15 to brief.

Wells vs. Webb, Martin; affidavit of appellant suggesting death of A. Webb and motion entered for revivor against his real representatives.

Stagg & Co. vs. Taylor, Jr. & Sons, Franklin; appellee given until the calling of the case on the docket to file brief.

Kodman vs. Keady, Jefferson; appellee filed copies of the judgment and bond and moved to dismiss the appeal; motion submitted.

Connolly vs. Davis, Pike; appellee given twenty days' additional time to file brief.

The following cases on to-day's appearance docket, given by numbers, were submitted: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26.

Nos. 4, 5, 16, 18, 19 and 27 were passed.

Nos. 10 and 13 were dismissed for time to file brief.

In Nos. 6 and 9 appellees moved to have appeal of Nannie Turpin dismissed in accordance with her affidavit heretofore filed. Appellee also filed grounds and moved to affirm the judgment in both cases; motions submitted.

In case No. 23 and notice and motion filed by appellant to advance; case submitted on motion and merits.

Daniel vs. Covington, and Cincinnati Elevated Railroad, etc., Kenton; submitted with leave.

Court adjourned till to-morrow morning at 11 o'clock.

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supported by the evidence and a new trial still be granted.

E. T. Bullock, Landman & Leek for appellant; N. P. Moss for appellee.

Municipal Corporations—Street Assessments—Subsidiary: Louisville Steam Forge Company vs. Mohler et al. (Not to be reported.) Filed October 18, 1901. Appeal from Jefferson Circuit Court. Response to petition for rehearing by Judge Duffell.

While the cost of altering the grade of a street so as to carry the street under a railroad cannot be imposed upon abutting property, yet the City Council has legislative discretion to fix the grade and the building of the street at the grade thus fixed can be made a charge upon the abutting property.

Pinckney E. Green for appellant; H. L. Stone, H. M. Lane for appellee.

**BALANCE FOR CITY.**

**TWENTY PER CENT. REBATE ON CONCLAVE FUND CERTAIN.**

**If Any Money Then Remains Chairman Vogt Will Ask That It Be Given Louisville.**

"There will certainly be a rebate of 20 per cent. to all subscribers to the Triennial Conclave entertainment fund," said Mr. Charles C. Vogt, Chairman of the Executive Committee. "Bills concerning to come in," added Mr. Vogt, "but there can not be enough now outstanding to cut into the \$20,000 to be used in refunding. It is possible that a final settlement of all claims will leave more than \$20,000 in the treasury."

"In this event will that remaining, after the 20 per cent. rebate is made, be donated to the Masonic Widows' and Orphans' Home?" was asked.

"No," Mr. Vogt replied. "I am in favor of giving whatever balance there may be over \$20,000 to the city of Louisville as a municipality, and I believe the Executive Committee will bear me out in the suggestion. Of course, the city will get its 20 per cent. rebate on the \$20,000 in cash appropriated by the Council, amounting to \$4,000, but the city did more than that. It gave large sums for extra police, public comfort, etc., and any balance should go to it on this account."

Next to the city the Louisville Railway Company, excepting the Knight Templar contributions, will receive the largest rebate. It is estimated that they will get back \$750. The Grand Commandery of Kentucky will get a check for \$2,500.

**Court of Appeals Decisions.**

**Taxation—Place of Assessment of Partnership Property—City of Louisville vs. Tatum, Embury & Co. (To be reported.)** Filed October 19, 1901. Appeal from Jefferson Circuit Court. Law and Equity division. Opinion of the court by Chief Justice Paynter.

It is proper to assess the personal property of a partnership at the place where the business is conducted, though some of the partners reside elsewhere.

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Court adjourned till to-morrow morning at 11 o'clock.

**Boundary—Conflict Between General and Particular Descriptions—Quelling Title—Adverse Possession—Vandalism—Filed October 19, 1901. Appeal from Boone Circuit Court. Opinion of the court by Judge Hobson, reversing.**

First—Where a deed excepted out of the sale of the southeast corner of the tract conveyed, which was particularly described as the two rods of land sold to a turnpike company, the particular description must control.

Second—One who has been in adverse possession of land for fifteen years may maintain an action to quiet title.

Lindsay & Davis, W. S. Fryer for appellant. W. A. Lee, B. M. Lee for appellee.

**Parent and Child—Custody of Children—Edwards vs. Edwards (Not to be reported.)** Filed October 16, 1901. Appeal from Boone Circuit Court. Opinion of the court by Judge Hobson, reversing.

First—Where a divorce was granted to a husband and an error to award the wife the custody of the children of the marriage, two sons aged fourteen and thirteen, respectively, in the absence of any evidence to overcome the prima facie right of the father, the preference of the children unsupported by any facts showing them to have a substantial foundation not being sufficient for that purpose.

Second—In awarding the custody of the children, the court should be made allowing the mother to visit them but not to interfere with the father's right of custody of the children.

The charge against James Crutcher, of maliciously shooting at without wounding Chas. Traube was dismissed.

**Street Railroads—Evidence as to Reason for Using Track as Passway—Acquiescence in the Use of Track by Public—Contributory Negligence—Floyd vs. Paducah Railway Light & Power Co. (To be reported.)** Filed October 17, 1901. Appeal from McCracken Circuit Court. Opinion of the court by Judge Hobson, reversing.

First—Where plaintiff was struck by a car, the public as a whole was not liable to run over him on the highway, as he had been on the track for some time, and the public as a whole was manifestly there for his own convenience.

Second—Evidence as to the use of the track by the public as a whole was not admissible, as the track, though an extension of the street, was not in the highway, and such use gave the public no right there.

Third—The declaration of the motorman at the place of the collision a few minutes after it occurred, that the effect that he made no effort to apply the brakes, was admissible as a part of the res gestae, the declaration being a verbal fact growing out of the transaction and a part of the evidence.

Fourth—The question whether the facts were sufficient to establish the effect that he made no effort to apply the brakes, was not a question for the jury, as the facts were undisputed, and the declaration being a verbal fact growing out of the transaction and a part of the evidence.

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A testator provided by his will that his wife and his body heirs by her should have all his notes and all money on hand after his death, and that she should be provided that if his wife should die before his "lawful heirs by her," his estate should be divided between the rest of his heirs by her or if one of his heirs by her should die before the rest of his heirs by her, then their interest should be equally divided between the mother and her heirs by her.

Held—That the widow and her two infant children by testator each took a perfect title to one-third of the funds described, and it was error to place the title to the funds in dispute until the testator's estate was settled.

J. W. Compton for appellant.

**Railroads—Killing of Stock—Presumption of Negligence Overcome—Mobile and Ohio Railroad Company vs. Whayne (Not to be reported.)** Filed October 16, 1901. Appeal from Hickman Circuit Court. Opinion of the court by Judge DuBois, reversing.

In an action against a railroad company to recover damages for the killing of stock by one of its employees, there being nothing in the testimony for plaintiff which necessarily or probably conflicts with the statement of the engineer that every effort was made to prevent the collision, a verdict for plaintiff was not

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the entire stock formerly owned by H. Redemann, 127 W. Market St. The purchase price was ridiculously low; we will sell it accordingly. We give below a list of some of the articles. There are hundreds of others too numerous to mention. The goods will be sold at our store. Come around and take a look. It will be a regular

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and you will surely find SOMETHING that you need.

Sale Price.

Barbers' Razors, finest \$2.50 quality.....\$1.50

Barbers' Razors, \$1.25 and \$2.00 quality......50

Barbers' Razors, \$1.50 quality......75

Only the finest hand-forged Razors will be found in this stock.

100 Razors......50

50 Razors......25

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50 Chamber Knives......10

50 Razor Hones......10

50 Pocket Knives......10

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50 Shavers......10

50 Scissors......10

50 Buttonhole Scissors......10

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